

Under the proposed Consent Decree, C.I. Liquidators of New York, Inc. and Great American Industries, Inc. will pay, jointly and severally, a total of \$775,000 in four installment payments to reimburse a portion of EPA's future response costs for response actions at the Site. American Board Companies, Inc. will provide access to its portion of the Site and will comply with certain restrictions on the use of its property. In return for the payments and other consideration, the Settling Defendants will receive covenants not to sue under Sections 106 and 107 of CERCLA for the Site as well as contribution protection.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, written comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. American Board Companies, Inc., C.I. Liquidators of New York, Inc., and Great American Industries, Inc.*, DOJ # 90-11-2-489. The proposed Consent Decree may be examined at the Office of the United States Attorney, Northern District of New York, James Foley U.S. Courthouse, 445 Broadway, Room 231, Albany, New York 12207; at the Region II Office of the U.S. Environmental Protection Agency, 290 Broadway, New York, New York 10278; and at the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 20005, (202) 624-0892. Copies of the Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 20005. In requesting a copy, please enclose a check in the amount of \$7.00 (25 cents per page reproduction costs) payable to the Consent Decree Library.

**Joel M. Gross,**

*Environmental Enforcement Section,  
Environment and Natural Resources Division.*

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with Departmental policy, 28 CFR 50.7, and Section 122 of CERCLA, 42 U.S.C. 9622, notice is hereby given that on March 24, 1999, a proposed Consent Decree in *United States v. Armco, Inc. v. American Home*

*Products Corp. et al.*, Civil Action No: C-2-95-698, was lodged with the United States District Court for the Southern District of Ohio. This consent decree resolves potential claims by the United States against eleven third-party defendants under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 *et seq.*, for recovery response costs incurred or to be incurred by the United States in connection with the Fultz Landfill Superfund Site located near Byesville, Guernsey County, Ohio. Under the proposed consent decree, the third-party defendants will pay the United States a total of \$27,979 in reimbursement of past response costs.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Armco, Inc., v. American Home Products Corp., et al.*, D.J. Ref. 90-11-3-856A.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Southern District of Ohio, 20080 High Street, 4th Floor, Columbus, OH 43215, at the Region 5 Office of the Environmental Protection Agency, 77 West Jackson Street, Chicago, Illinois 60604-3590, and at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of \$7.25 (25 cents per page reproduction cost) payable to the Consent Decree Library.

**Joel M. Gross,**

*Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.*

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Ben Shemper & Sons, Inc. et al.*, Civil Action No. 94-50385/LAC was lodged on March 12, 1999,

with the United States District Court for the Northern District of Florida. In December 1994 pursuant to Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9607, the United States filed this action to recover response actions at the Sapp Battery Site near Cottondale, Florida. In addition, the complaint contained a claim against defendant, Ben Shemper & Sons, Inc. (Shemper) under Section 106(a) of CERCLA, 42 U.S.C. 9606(a), for failure to comply with EPA's Unilateral Administrative Order directing Shemper to participate in implementing the remedy for soil contamination at the site. The site was contaminated with lead and other heavy metals as the result of battery cracking operations conducted at the site from approximately 1970 to 1980. The consent decree requires Shemper to pay \$1,330,000 plus interest over a period of approximately three years.

The Department of Justice will receive, for a period of 30 days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to: *United States v. Ben Shemper & Sons, Inc., et al.*, DOJ Ref. # 90-11-2-699E.

The proposed consent decree may be examined at the Office of the United States Attorney, Northern District of Florida, 114 E. Gregory Street, Pensacola, Florida 32501; Office of the U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, S.W., Atlanta, Georgia 30303; and at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington D.C. 20005 (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$4.50 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Walker Smith,**

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